

Message Text

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51

ORIGIN OPIC-12

INFO OCT-01 AF-10 EUR-25 ADP-00 EB-11 L-03 COME-00 TRSE-00

XMB-07 INR-10 CIAE-00 NSAE-00 /079 R

66650

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OPIC/GC,C. HUNT

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AF/E - B ROGERS

EUR/WE - EBIEGEL (INFO)

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P 241911Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY MOGADISCIO PRIORITY

AMEMBASSY PARIS

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E.O. 11652: N/A

TAGS: EIND, EFIN, SO

SUBJECT: FEARN FOODS (PRODMA)

PARIS FOR HOEVELER, SPECIAL COUNSEL FOR OPIC

1. HOEVELER SCHEDULED TO ARRIVE ON OR ABOUT SEPT. 3 FOR SEPT. 4 MEETINGS WITH GOVERNMENT OF SOMALIA ("GOS"). HOWEVER, WE HAVE ADVISED HOEVELER NOT RPT NOT TO PROCEED WITHOUT PROMISED OFFER FOR GOS TO REVIEW PRIOR TO MEETINGS. PLEASE PASS THIS TO GOS REPRESENTATIVES. WHEN PROPOSAL RECEIVED, PLEASE CABLE OPIC AND PARIS FOR HOEVELER.

2. FEARN HAS PREPARED POWER OF ATTORNEY FOR LOCAL COUNSEL TO ACCOMPLISH SETTLEMENT DOCUMENTS. WHEN PROPERLY AUTHENTICATED, WE WILL POUCH TO EMBASSY. PLEASE ALERT MOHAMED SHEIKH AHMED ACCORDINGLY.

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HE SHOULD PARTICIPATE IN NEGOTIATIONS.

3. HOEVELER'S NEGOTIATING INSTRUCTIONS ARE SAME AS GIVEN JOURDIN IN FEBRUARY. SEE STATE 26939, 13 FEB 73 FOR DETAILS. THAT CABLE INCLUDED IN HOEVELER'S PACKAGE OF DOCUMENTS. FEARN HAS GIVEN US GENERAL NEGOTIATING AUTHORITY TO ACCEPT DOLS 369,560. SHOULD WE NOT BE ABLE TO GET AT LEAST THAT, FEARN WISHES TO BE ADVISED BEFORE AN OFFER IS ACCEPTED IN ORDER THAT FEARN AND OPIC MAY RESOLVE HOW THE AMOUNT ACTUALLY RECEIVED WILL BE APPORTIONED AGAINST FEARN'S CLAIM TO OPIC.

4. AT THIS POINT, WE VIEW OPIC TO BE THE REAL PARTY IN INTEREST IN THESE NEGOTIATIONS AND WE WISH TO REACH A SETTLEMENT ON THIS TRIP. SUBJECT TO FINAL ADJUSTMENTS, WE BELIEVE FEARN'S CLAIM IS WORTH ABOUT DOLS 320,000 AND WILL LIKELY PAY THIS AMOUNT REGARDLESS OF THE DEAL NEGOTIATED WITH THE GOS. WE HAVE YET TO ADVISE FEARN OF THE AMOUNT BUT HAVE INDICATED OUR WILLINGNESS TO PAY ASAP. PRESUMABLY FEARN BELIEVES THE CLAIM TO BE WORTH NO LESS THAN DOLS 369,000 AND MAY WISH TO NEGOTIATE THE DIFFERENCE.

5. FYI: MOHAMED ALI LIBAN, WHO IS NOW IN THE U.S., STATES GOS REAL INTEREST IS GETTING PRODMA FOR NEARLY NOTHING AND THEN SELLING IT FOR A SUBSTANTIAL SUM TO THE HIGHEST BIDDER AVAILABLE. END FYI

DECONTROL 8/24/74.

RUSH

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